



## PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

**Agency:** Washington Horse Racing Commission

**Subject of possible rule making:** WAC 260-08-675 Hearing before the commission

**Statutes authorizing the agency to adopt rules on this subject:** RCW 67.16.020

**Reasons why rules on this subject may be needed and what they might accomplish:** Changing the appeal time regarding riding suspension for jockeys.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**  
None

**Process for developing new rule (check all that apply):**

- ☒ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☐ Other (describe)

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

Douglas L Moore, Deputy Executive Secretary  
Washington Horse Racing Commission  
6326 Martin Way, Suite 209  
Olympia, WA 98516-5578  
Telephone (360) 459-6462 Fax (360) 459-6461  
dmoore@whrc.state.wa.us

**DATE**

1/5/10

**NAME (TYPE OR PRINT)**

Douglas L Moore

**SIGNATURE**

**TITLE**

Deputy Executive Secretary

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE:** January 05, 2010

**TIME:** 9:59 AM

**WSR 10-02-073**

AMENDATORY SECTION (Amending WSR 08-07-039, filed 3/13/08, effective 4/13/08)

**WAC 260-08-675 Hearing before the commission.** Any person against whom a ruling is made by the stewards or the executive secretary may request a hearing before the commission to challenge the ruling. However, a decision by the stewards concerning the disqualification or nondisqualification of a horse due to a foul or riding infraction during the running of a race is final and will not be reviewed by the commission.

(1) Requests for a hearing before the commission must be filed with an office of the commission within seven days of service of the stewards' or executive secretary's ruling, with the exception of riding violations.

(2) The request must include: The name, address, telephone number and the signature of the person making the request and a statement of the basis for the challenge to the ruling.

(3) The commission will conduct an adjudicative proceeding according to the provisions of chapter 34.05 RCW, Administrative Procedure Act, and chapter 260-08 WAC, Practice and procedure.

(4) Any person requesting a hearing before the commission will be heard in person or by counsel. A person appearing before the commission may submit his or her case entirely in writing, provided this is specified at the time of the filing of the request for hearing with the commission and this procedure is given written approval by the commission.

(5) All communications to the commission with respect to a stewards' or executive secretary's ruling must be in writing, and all papers filed with the commission shall be the property of the commission.